UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

DONALD RAY PHILLIPS,)	
)	
Petitioner,)	
)	
VS.)	Case No. 4:07CV00521 ERW
)	
TROY STEELE,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter comes before the Court on Petitioner's Motion for Extension of Time [doc. #40].

Petitioner filed his Petition for Writ of Habeas Corpus [doc. #1] on March 16, 2007. On January 29, 2010, Magistrate Judge Frederick R. Buckles issued his Report and Recommendation [doc. #35], which recommended that the Petition be denied. Petitioner was given fourteen days, or until February 12, 2010, to file any objections that he had to the Magistrate Judge's Report and Recommendation. On February 24, 2010, this Court noted that Petitioner had not filed any objections and, upon reviewing Magistrate Judge Buckles' Report and Recommendation, adopted it in full. Accordingly, the Court denied Petitioner's Petition for Writ of Habeas Corpus. The Court also denied Petitioner a certificate of appealability.

On March 1, 2010, this Court received notice from Petitioner that he did not file objections to the Report and Recommendation because he did not receive a copy of the Report and Recommendation. Petitioner thus requested additional time to file objections. The Court agrees that Petitioner should be given a fair opportunity to review Magistrate Judge Buckles'

Report and Recommendation, and to file any objections that he has. Thus, the Court will order the Clerk of the Court to send Petitioner a copy of the Report and Recommendation [doc. #35]. Petitioner will then have fourteen days, or until March 17, 2010, to file objections, if any.

Accordingly,

IT IS HEREBY ORDERED that Petitioner's Motion for Extension of Time [doc. #40] is **GRANTED**. The Clerk of Court shall send Petitioner a copy of Magistrate Judge Buckles' Report and Recommendation [doc. #35], and Petitioner will have until March 17, 2010 to file objections, if any.

Dated this 3rd Day of March, 2010.

E. RICHARD WEBBER

UNITED STATES DISTRICT JUDGE